UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

ARI APPEL,)
Plaintiff,))
v. WESTPORT POLICE OFFICERS)) Civil Action No.) 23-12877-MJJ
GONCALVES, REED AND MUNZING, et)
al.,)
Defendants.)))

ORDER

JOUN, D.J.

On November 27, 2023, Ari Appel, who is representing himself, commenced this action by filing a complaint [Doc. No. 1], motion for leave to proceed *in forma pauperis* [Doc. No. 2], and a document captioned as a motion but is, in substance, a request that his complaint and motion to proceed *in forma pauperis* be filed [Doc. No. 3]. On December 7, 2023, Appel filed an amended complaint [Doc. No. 6], as was his right. <u>See</u> Fed. R. Civ. P. 15(a)(1).

On January 8, 2024, Appel filed a motion [Doc. No. 7], in which he sought (1) a temporary restraining order to prevent the state government from harassing him on or about January 9, 2024; (2) leave to add Northeastern University as a defendant; and (3) leave to file electronically. On January 25, 2024, the Court entered an electronic order denying as moot the request for a temporary restraining order, and stated that the other requests for relief would be addressed in a separate order [Doc. No. 9].

Upon review of the remaining issues raised in the January 8, 2024 motion [Doc. No. 7], the Court hereby orders:

- 1. The motion is DENIED insofar as Appel seeks to add Northeastern University as a defendant. When a plaintiff brings claims against more than one defendant in a single lawsuit, the claims must be limited to those that "aris[e] out of the same transaction, occurrence, or series of transactions or occurrences" and a "question of law of fact common to all defendants will arise in the action." Fed. R. Civ. P. 20(a)(2). In other words, "[w]here a plaintiff brings claims against more than one defendant in a single lawsuit, plaintiff may join multiple defendants in a single action only if plaintiff asserts at least one claim to relief against each of them that arises out of the same transaction or occurrence and presents questions of law or fact common to all." 7 Charles Alan Wright et al., Federal Practice and Procedure § 1655 (3d ed.). Here, Appel's proposed claims against Northeastern University do not have the nexus required under Rule 20(a)(2) to join Northeastern University as a defendant. 1
- 2. The motion is GRANTED insofar as Appel seeks leave to file electronically, as follows:
 - All self-represented parties are required to comply with the Local Rules and the Federal Rules of Civil Procedure. <u>See</u> Local Rule 83.5.5(d). Moreover, when self-represented parties register to use the electronic filing system (CM/ECF), they agree to the Non-Attorney E-filing Terms and Conditions, which provide that self-represented litigants agree to adhere to local rules, orders, policies, and procedures governing electronic filing for the Court. This District's instructions for pro se litigants filing electronically may be found at https://www.mad.uscourts.gov/caseinfo/nextgen-pro-se.htm.
 - The Court expects Appel to use CM/ECF properly. Should any misuse occur, the Court may vacate its order allowing Appel to file electronically, and Appel will no longer be allowed to use the CM/ECF system.
 - Appel must have an individual PACER account to electronically file in the District of Massachusetts. If Appel does not have a PACER account, he must obtain one by visiting https://pacer.uscourts.gov/register-account.

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¹ For purposes of this order, the Court assumes—without deciding—that the defendants in the amended complaint are properly joined.

- Once Appel has a PACER account, he <u>must</u> contact Tracy McLaughlin (<u>tracy_mclaughlin@mad.uscourts.gov</u>) to obtain CM/ECF electronic filing access for this action.
- Once Appel registers for CM/ECF electronic filing access in this action, he will no longer receive notice of docket activity by regular mail. Instead, when there is docket activity in this case, CM/ECF will send a Notice of Electronic Filing ("NEF") to the email address Appel provides. This NEF will include the text of the docket entry. If a document was docketed as part of the docket entry, the NEF will contain a hyperlink to the document.
- In the fourteen (14) days following the docketing of a document linked to an NEF, Appel may have one "free look" at the document through the hyperlink in the NEF. Appel is strongly encouraged to download the document when he avails himself of the "free look."
- Appel must maintain reliable access to the internet and check his email frequently.
 - 3. In addition, the motion for leave to file [Doc. No. 3] is GRANTED.

So Ordered.

/s/ Myong J. Joun
Myong J. Joun
United States District Judge

Dated: March 20, 2024